

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC. and  
COXCOM, LLC.

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**COX'S MOTION TO EXCLUDE THE TESTIMONY OF  
PUTATIVE EXPERT GEORGE P. McCABE, Ph.D.**

Pursuant to Federal Rules of Evidence 702, 402, and 403, Cox Communications, Inc. and CoxCom, LLC ("Cox") respectfully requests that the Court exclude, in their entirety and for any purpose, the opinions and testimony of Plaintiffs' putative expert George P. McCabe.

Cox states the specific grounds for their Motion to Exclude in the Memorandum of Law submitted with this Motion, the Declaration of Thomas M. Buchanan, and all exhibits annexed thereto. A Proposed Order granting this motion is attached.

Dated: August 30, 2019

Respectfully submitted,

/s/ Thomas M. Buchanan

Thomas M. Buchanan (VSB No. 21530)

WINSTON & STRAWN LLP

1700 K Street, NW

Washington, DC 20006-3817

Tel: (202) 282-5787

Fax: (202) 282-5100

Email: tbuchana@winston.com

*Attorney for Cox Communications, Inc.  
and CoxCom, LLC*

*Of Counsel for Defendants*

Michael S. Elkin (*pro hac vice*)  
Thomas Patrick Lane (*pro hac vice*)  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, NY 10166-4193  
Telephone: (212) 294-6700  
Facsimile: (212) 294-4700  
Email: melkin@winston.com  
Email: tlane@winston.com

Jennifer A. Golinveaux (*pro hac vice*)  
Thomas J. Kearney (*pro hac vice* pending)  
WINSTON & STRAWN LLP  
101 California Street, 35<sup>th</sup> Floor  
San Francisco, CA 94111-5840  
Telephone: (415) 591-1000  
Facsimile: (415) 591-1400  
Email: jgolinveaux@winston.com  
Email: tkearney@winston.com

Diana Hughes Leiden (*pro hac vice*)  
WINSTON & STRAWN LLP  
333 S. Grand Avenue, Suite 3800  
Los Angeles, CA 90071  
Telephone: (213) 615-1700  
Facsimile: (213) 615-1750  
Email: dhleiden@winston.com

**CERTIFICATE OF SERVICE**

I certify that on August 30, 2019, a copy of the foregoing Cox's Motion to Exclude the Testimony of Putative Expert George P. McCabe, Ph.D., was filed electronically with the Clerk of Court using the ECF system, which will send notifications to ECF participants.

/s/ Thomas M. Buchanan  
Thomas M. Buchanan (VSB No. 21530)  
1700 K Street, NW  
Washington, DC 20006-3817  
Tel: (202) 282-5787  
Fax: (202) 282-5100  
Email: tbuchana@winston.com

*Attorney for Cox Communications, Inc.  
and CoxCom, LLC*